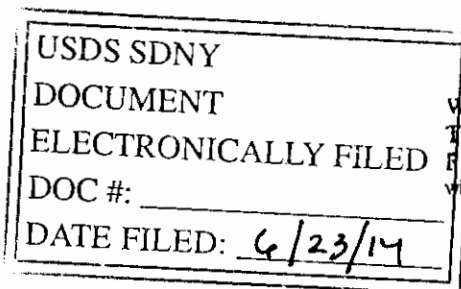


**ROPES  
& GRAY**ROPES & GRAY LLP  
1211 AVENUE OF THE AMERICAS  
NEW YORK, NY 10036-8704  
WWW.ROPESGRAY.COM**MEMO ENDORSED** ~~COURTESY COPY~~

June 23, 2014

William I. Sussman  
T +1 212 841 0612  
F +1 646 728 1505  
william.sussman@ropesgray.com**BY ECF**The Honorable James C. Francis  
United States Magistrate Judge  
United States Courthouse  
Southern District of New York  
500 Pearl Street  
New York, NY 10007Re: *Nunez, et al., v. City of New York, et al.*, 11 Civ. 5845 (LTS) (JCF)

Dear Judge Francis:

This office, together with The Legal Aid Society Prisoners' Rights Project and Emery Celli Brinckerhoff & Abady, is counsel for the Plaintiff Class in this matter. Emery Celli Brinckerhoff & Abady, together with The Legal Aid Society Prisoners' Rights Project, also are counsel for the Plaintiffs in their individual damages claims. We write, jointly with counsel for The City of New York, to request that all Court-ordered deadlines relating to class issues be extended for a period of 21 days. During this period, however, the parties will proceed with the depositions of the Plaintiffs with claims for damages only, as well as the depositions of the individual defendants allegedly involved in the incidents with the Plaintiffs.

The parties make this request because they have begun good-faith negotiations, including meetings attended by the DOC Commissioner and Corporation Counsel, with respect to a possible settlement of the class claims in this action, and believe their energies are best devoted to that purpose over the near term. After using the next 21 days for that purpose, the parties hope to be in a better position to see if sufficient tangible progress has been made so as to justify a further application to the Court.

ROPES & GRAY LLP

The Honorable James C. Francis

- 2 -

June 23, 2014

We appreciate the Court's consideration.

Respectfully yours,

*William I. Sussman /aef*

EMERY CELLI BRINCKERHOFF  
& ABADY

Jonathan Abady  
Katherine R. Rosenfeld  
Vasudha Talia

THE LEGAL AID SOCIETY

Jonathan S. Chasan  
Mary Lynne Werlwas  
*Counsel for Plaintiffs Mark Nunez, Rodney  
Brye, Shameik Smallwood, Oscar Sanders,  
Travis Woods, Ralph Nunez, Keith Bucote,  
Jose DeGros, Christopher Graham, Sonny  
Ortiz, Clifford Sewell, and Leslie Pickering*

ROPES & GRAY LLP

William I. Sussman  
Christopher P. Conniff  
Amanda N. Raad  
Lisa Coyle  
Joseph G. Cleemann  
Anna E. Friedberg  
*Counsel for Plaintiffs Rodney Brye,  
Shameik Smallwood, Travis Woods, and  
Oscar Sanders in their capacities as Class  
representatives*

cc: All counsel (by ECF and First-Class Mail)

*6/23/14*  
*Application granted.*

*so ORDERED.*

*James C. Francis IV*  
*JCF*